

Digital Audio Files Available over the Internet

Digital audio in CM/ECF

Beginning August 6, 2007, the United States District Court for the District of Nebraska began making digital audio files of court proceedings available to the public over the Internet through the Public Access to Court Electronic Records (PACER) system. The judges involved in the program are Senior District Judge Warren Urbom, District Judge Richard Kopf, Magistrate Judge Cheryl Zwart, Magistrate Judge Thomas Thalken, and Magistrate Judge F.A. Gossett. Audio files of all court proceedings held in front of these judges, unless otherwise specified by the judge, will be uploaded to the Case Management/Electronic Case Files (CM/ECF) system. Attorneys of record on a case will receive a Notice of Electronic Filing for the audio file and one free download. Audio files are also available to the public via PACER at a cost of \$2.40 per file, plus the cost of accessing the docket sheet or docket activity report.

Limiting personal information

If information subject to the court's privacy policy¹ is stated on the record, it will be available in the audio files this court makes available. Since counsel and the parties are solely responsible for guaranteeing that pleadings and testimony comply with the court's rules requiring redaction of personal data identifiers, the better practice is to avoid introducing personal data identifiers and other sensitive information into the record in the first place, unless absolutely necessary to prove an element of the case. Also, be advised that courtroom deputies cannot redact audio files before they are placed on CM/ECF. Please take this into account when questioning witnesses or making other statements in court. If private information is mentioned during a hearing or trial, counsel may move the court to seal, restrict, or otherwise prohibit placement of the digital audio file of the hearing or trial on the Internet through the PACER system.

Privacy policy

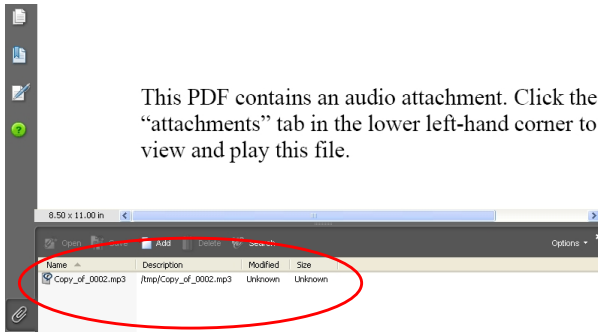
The judiciary's privacy policy restricts the publication of certain personal data in documents filed with the court. The policy requires limiting the disclosure of Social Security and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year.

¹ For guidance on the privacy policy as applied to documents, exhibits, and transcripts, see <http://www.ned.uscourts.gov/cmecf/> --> "Notice of Electronic Availability of Case File Information"; NECivR 5.3; and NECrimR 49.3; Federal Rule of Civil Procedure 5.2; and Federal Rule of Criminal Procedure 49.1.

[For criminal cases, home addresses are limited to city and state.] However, if such information is elicited during testimony or other court proceedings, it will become available to the public.

Accessing audio files from a Notice of Electronic Filing (NEF)


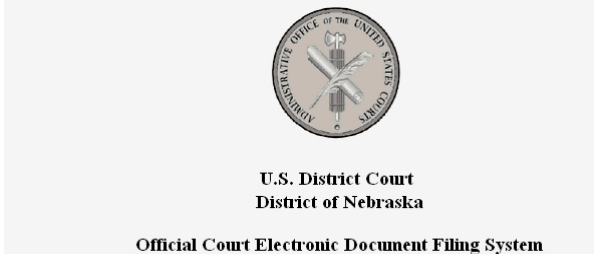
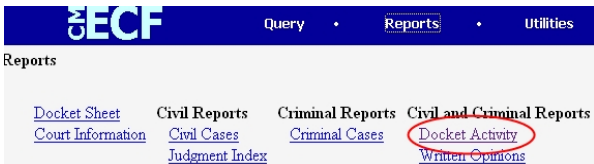
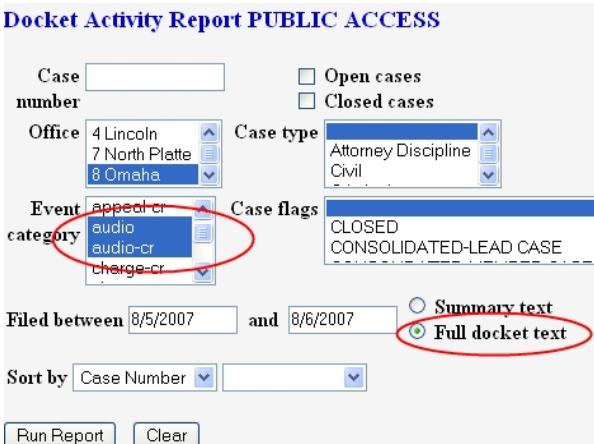
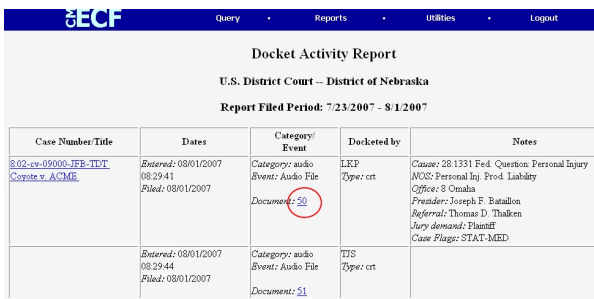
Each individual that receives a NEF for a case receives one free download of the audio file. Follow the steps in the table below to access the audio file.

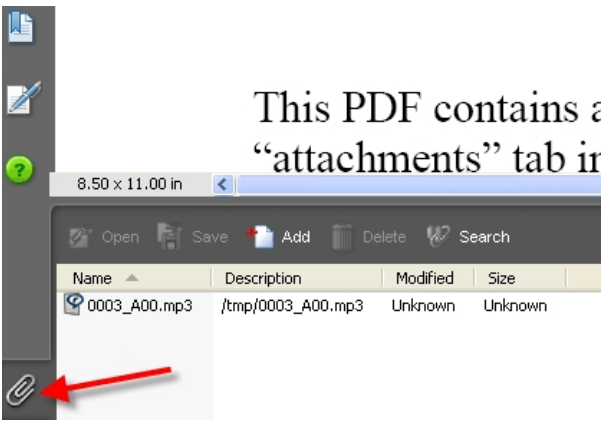
STEP	RESULT
<p>1. From the e-mail notification, click the Document Number link.</p> <p>The audio files are in MP3 format and embedded as an attachment to a PDF.</p>	<p>U.S. District Court</p> <p>District of Nebraska</p> <p>Notice of Electronic Filing</p> <p>The following transaction was entered on 7/30/2007 at 8:32 AM CDT and filed on 7/30/2007</p> <p>Case Name: USA v. Cassidy et al</p> <p>Case Number: 8:02-cr-103</p> <p>Filed:</p> <p>Document Number: 6</p> <p>Docket Text:</p> <p>AUDIO FILE as to defendant(s) Butch Cassidy regarding Initial Appearance [2] held on 07/17/07 before Magistrate Judge F.A. Gossett. (LKP,)</p>
<p>2. Click the Attachments tab or paper clip icon (depending on the version of Acrobat) to display a link to the MP3 file.</p> <p><u>Note:</u> If you do not see the paper clip icon or Attachments pane:</p> <ul style="list-style-type: none">Acrobat 7, 8, or 9 go to View...Navigation Panels...Attachments.Acrobat X or XI go to View...Show/Hide...Navigation Panes..Attachments.	<p>This PDF contains an audio attachment. Click the “attachments” tab in the lower left-hand corner to view and play this file.</p> 

Accessing audio files from PACER

During the pilot, PACER will charge \$0.08 to open an audio file (plus the cost of the accompanying report). Audio files are in MP3 format and can be played on a variety of media players. Follow the steps in the table below to find and retrieve court audio

files.

STEP	RESULT															
1. Login to PACER. 2. Select Reports from the menu bar.	 															
3. Select the Docket Activity Report .																
4. Select any desired filters, such as Office or date range. 5. From the Event Category field, select audio (for civil cases) and/or audio-cr (for criminal cases). 6. Select Full docket text . 7. Click on Run Report .																
8. A list of all audio files for the given date range will be displayed. Click on the document number in the third column to access the audio file.	 <table><tr><th>Case Number/Title</th><th>Dates</th><th>Category/Event</th><th>Docketed by</th><th>Notes</th></tr><tr><td>8:02-cr-09000-TFB-TDT Copate v. ACME</td><td>Entered: 08/01/2007 08:29:41 Filed: 08/01/2007</td><td>Category: audio Event: Audio File Document: 20</td><td>LKP Type: crt</td><td>Cause: 28:1331 Fed. Question: Personal Injury NOS: Personal Inj. Prod. Liability Office: 8 Omaha Presider: Joseph F. Batallion Referral: Thomas D. Thakern Jury demand: Plaintiff Case Flags: STAT-MED</td></tr><tr><td></td><td>Entered: 08/01/2007 08:29:44 Filed: 08/01/2007</td><td>Category: audio Event: Audio File Document: 51</td><td>TTS Type: crt</td><td></td></tr></table>	Case Number/Title	Dates	Category/Event	Docketed by	Notes	8:02-cr-09000-TFB-TDT Copate v. ACME	Entered: 08/01/2007 08:29:41 Filed: 08/01/2007	Category: audio Event: Audio File Document: 20	LKP Type: crt	Cause: 28:1331 Fed. Question: Personal Injury NOS: Personal Inj. Prod. Liability Office: 8 Omaha Presider: Joseph F. Batallion Referral: Thomas D. Thakern Jury demand: Plaintiff Case Flags: STAT-MED		Entered: 08/01/2007 08:29:44 Filed: 08/01/2007	Category: audio Event: Audio File Document: 51	TTS Type: crt	
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<p>9. The audio files are in MP3 format and embedded as an attachment to a PDF. Click the Attachments tab or paper clip icon (depending on the version of Acrobat) to display a link to the MP3 file.</p> <p><u>Note:</u> If you do not see the paper clip icon or Attachments pane:</p> <ul style="list-style-type: none">Acrobat 7, 8, or 9 go to View...Navigation Panels...Attachments.Acrobat X or XI go to View...Show/Hide...Navigation Panes..Attachments.	 <p>This PDF contains 1 attachment</p> <p>8,50 x 11,00 in</p> <p>Open Save Add Delete Search</p> <table><thead><tr><th>Name</th><th>Description</th><th>Modified</th><th>Size</th></tr></thead><tbody><tr><td>0003_A00.mp3</td><td>/tmp/0003_A00.mp3</td><td>Unknown</td><td>Unknown</td></tr></tbody></table>	Name	Description	Modified	Size	0003_A00.mp3	/tmp/0003_A00.mp3	Unknown	Unknown
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